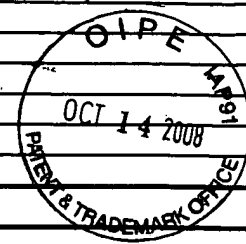


IDS Form PTO/SB/08: Substitute for form 1449A/PTO <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(Use as many sheets as necessary)</p>			<h3 style="text-align: center;">Complete if Known</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>08/412,114</td> </tr> <tr> <td>Filing Date</td> <td>March 28, 1995</td> </tr> <tr> <td>First Named Inventor</td> <td>Twardowski et al.</td> </tr> <tr> <td>Art Unit</td> <td>Unknown</td> </tr> <tr> <td>Examiner Name</td> <td>Unknown</td> </tr> <tr> <td>Attorney Docket Number</td> <td>08366.0005-00</td> </tr> </table>		Application Number	08/412,114	Filing Date	March 28, 1995	First Named Inventor	Twardowski et al.	Art Unit	Unknown	Examiner Name	Unknown	Attorney Docket Number	08366.0005-00
Application Number	08/412,114															
Filing Date	March 28, 1995															
First Named Inventor	Twardowski et al.															
Art Unit	Unknown															
Examiner Name	Unknown															
Attorney Docket Number	08366.0005-00															
Sheet	1	of	19													



U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 5,156,592 (MX A)	10-20-1992	Martin	
		US- 4,493,696 (MX5)	01-15-1985	Uldall	
		US- 3,964,488 (MX M1)	06-22-1976	Ring et al	
		US- 4,687,471 (MX P)	08-18-1987	Twardowski et al	
		US- 4,981,477 (MX R)	01-01-1991	Schon	
		US- 5,053,023 (MX T)	10-01-1991	Martin	
		US- 5,209,723 (MX V)	05-11-1993	Twardowski	
		US-5,405,320 (MX W)	04-11-1995	Twardowski	
		US- 4,405,313 (TX 5)	09-20-1983	Sisley et al.	
		US- 5,057,073 (TX 6)	10-15-1991	Martin	
		US- 4,961,809 (TX 7)	10-09-1990	Martin	
		US- 4,895,561 (TX 8)	01-23-1990	Mahurkar	
		US- 4,451,252 (TX 21)	05-29-1984	Martin	
		US- 4,403,983 (TX 35)	09-13-1983	Edelman	
		US- 5,350,358 (TX 88)	09-27-1994	Martin	
		US- 5,324,274 (TX 89)	06-28-1994	Martin	
		US- 5,395,316 (TX 91)	03-07-1995	Martin	
		US- 5,053,003 (TX 92)	10-01-1991	Dadson	

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		Canadian Patent No. 1,150,122 (MX 2)	07-19-1983	Martin		
		Canadian Patent No. 1,092,927 (MX 4)	01-06-1981	Martin		
		EP 523,119 (MX H)	01-11-1995	Martin		
		Australian Patent No. 2,013,877 (MX J)	11-19-1995	Martin		
		WO 91/15255 (MX L)	10-17-1991	Martin		

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				<i>Application Number</i>	08/412,114
				<i>Filing Date</i>	March 28, 1995
				<i>First Named Inventor</i>	Twardowski et al.
				<i>Art Unit</i>	Unknown
				<i>Examiner Name</i>	Unknown
Sheet	2	of	19	<i>Attorney Docket Number</i>	08366.0005-00

NONPATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		Translation ⁶
		INTERFERENCE 103,988 DOCUMENT TITLE		
		Declaration of Interference [paper 9]	08/19/1997	
		Senior Party Twardowski's Preliminary Statement	12-19-1997	
		Preliminary Motions Of Junior Party Martin Pursuant To 37 CFR Section 1.633	12-19-1997	
		Request That Administrative Patent Judge Exercise Discretion To Add Patents To The Interference 37 CFR Sections 1.642 And 1.635	12-19-1997	
		Twardowski Opposition To Motion A	03-10-1998	
		Twardowski Opposition To Motion B	03-10-1998	
		Twardowski Opposition To Motion C	03-10-1998	
		Twardowski Opposition To Motion D	03-10-1998	
		Twardowski Opposition To Contingent Motion E	03-10-1998	
		Twardowski Opposition To Motion F And G	03-10-1998	
		Twardowski Opposition To Martin Request To Add Patents	03-10-1998	
		Declaration Of Zbylut J Twardowski MD PhD	03-10-1998	
		Declaration Of Gregory Lance Geary MD FACS	03-10-1998	
		Declaration Of Nils Juhlin PhD	03-10-1998	
		Declaration Of Raymond Bodicky	03-10-1998	
		Declaration Of Donald Anzinger	03-10-1998	
		Reply To Twardowski Opposition To Martin Motion A	05-11-1998	
		Reply To Twardowski Opposition To Martin Motion B	05-11-1998	
		Reply To Twardowski Opposition To Martin Motion C	05-11-1998	
		Reply To Twardowski Opposition To Martin Motion D	05-11-1998	
		Reply To Twardowski Opposition To Martin Motion E	05-11-1998	
		Reply To Twardowski Opposition To Martin Motion F And G	05-11-1998	
		Reply To Twardowski Opposition To Martin Request To Add Patents	05-11-1998	
		Martin Motion To Strike Portions Of Twardowski Oppositions Pursuant To 37 CFR Section 1.635	05-11-1998	
		Martin Motion to Strike Twardowski Exhibits	05-11-1998	
		Twardowski Response To Reply A	07-01-1998	
		Twardowski Response To Reply B	07-01-1998	
		Twardowski Response To Reply C	07-01-1998	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

IDS Form PTO/SB/08: Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	08/412,114
				Filing Date	March 28, 1995
				First Named Inventor	Twardowski et al.
				Art Unit	Unknown
				Examiner Name	Unknown
Sheet	3	of	19	Attorney Docket Number	08366.0005-00

NONPATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		Translation ⁶
		INTERFERENCE 103,988 DOCUMENT TITLE		
		Twardowski Response To Reply D	07-01-1998	
		Twardowski Response To Reply E	07-01-1998	
		Twardowski Response To Reply F And G	07-01-1998	
		Twardowski Opposition To Motion To Strike Portions Of Oppositions	07-01-1998	
		Twardowski Opposition to Martin Motion to Strike Exhibits	07-01-1998	
		Twardowski Motion To Strike Portions Of Martin's Replies	07-01-1998	
		Twardowski's Motion Under 37 CFR Section 1.633(c)(3) To Designate A Claim To Correspond To The Count And Alternative Request For APJ To Act Pursuant To 37 CFR Section 1.610(e)	07-01-1998	
		Twardowski's Motion Under 35 CFR Sections 1.635 And 1.645 For Permission To File A Belated Motion Under 37 CFR Section 1.633(c)(3)	07-01-1998	
		Twardowski's Contingent Motion to Strike Martin Exhibits	07-01-1998	
		Joint Stipulation Regarding Martin Motion to Strike Twardowski Exhibits and proposed order	06-25-1998	
		Supplemental Declaration Of Zbylut J Twardowski MD PhD	06-24-1998	
		Supplemental Declaration Of Gregory Lance Geary MD FACS	06-29-1998	
		Supplemental Declaration Of Nils Juhlin PhD	06-22-1998	
		Supplemental Declaration Of Raymond Bodicky	06-25-1998	
		Supplemental Declaration Of Donald Anzinger	06-26-1998	
		Declaration Of Dinah C Davis	07-01-1998	
		Declaration Of Jeff E Schwartz Esq	07-01-1998	
		Martin Reply To Twardowski Opposition To Motion To Strike Portions Of Oppositions	07-16-1998	
		Martin Reply to Twardowski Opposition to Martin Motion to Strike Exhibits	07-16-1998	
		Martin Motion to Strike Twardowski Declarations Pursuant to 37 CFR Section 1.639(a)	07-16-1998	
		Martin Motion to Strike Twardowski Exhibits 46-54 and 58-61	07-16-1998	
		Martin Opposition To Twardowski's Motion Under 37 CFR Sections 1.633(c)(3) To Designate A Claim To Correspond To The Court And Alternative Request For APJ To Act Pursuant To 37 CFR Section 1.610(e)	07-21-1998	
		Martin Opposition To Twardowski Motion Under 37 CFR Sections 1.635 And 1.645 For Permission To File A Belated Motion Under 37 CFR Section 1.633(c)(3)	07-21-1998	
		Martin Opposition to Twardowski Motion to Strike Portions of Martin Replies	07-21-1998	
Examiner Signature				Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

IDS Form PTO/SB/08: Substitute for form 1449A/PTO			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			<i>Application Number</i>	08/412,114	
			<i>Filing Date</i>	March 28, 1995	
			<i>First Named Inventor</i>	Twardowski et al.	
			<i>Art Unit</i>	Unknown	
			<i>Examiner Name</i>	Unknown	
			<i>Attorney Docket Number</i>	08366.0005-00	
Sheet	4	of	19		

NONPATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		Translation ⁶
		INTERFERENCE 103,988 DOCUMENT TITLE		
		Martin Opposition to Twardowski Contingent Motion to Strike Martin Exhibits	07-21-1998	
		Martin Contingent Motion for Sanctions Pursuant to 37 CFR Section 1.635	07-21-1998	
		Martin Motion To Strike Portions Of Twardowski Responses To Martin Reply A And Martin Reply B	07-22-1998	
		Twardowski Reply Regarding Section 1.633(c)(3) Motion To Designate Claim	08-05-1998	
		Twardowski Reply Regarding Section 1.635 And 1.645 Motion To File Belated 1.633(c)(3) Motion	08-05-1998	
		Twardowski Reply Regarding Motion To Strike Portions Of Martin's Replies	08-05-1998	
		Twardowski Reply to Martin Opposition to Contingent Motion to Strike Martin Exhibits	08-05-1998	
		Twardowski Opposition to Martin Motion to Strike Twardowski Exhibits 46-54 and 58-61	08-05-1998	
		Twardowski Opposition to Martin Motion to Strike Twardowski Declarations	08-05-1998	
		Twardowski Motion Under 37 CFR Sections 1.635 And 1.645 To Substitute The Second Supplemental Declaration Of Mr Bodicky For The Declaration Of Mr Schwartz	08-05-1998	
		Second Supplemental Declaration Of Raymond Bodicky	08-05-1998	
		Declaration Of Christopher E Kondracki	08-05-1998	
		Supplemental Declaration Of Donald Anzinger	08-05-1998	
		Supplemental Declaration Of Raymond Bodicky	08-05-1998	
		Supplemental Declaration Of Gregory Lange Geary M.D. FACS	08-05-1998	
		Supplemental Declaration Of Nils Juhlin Ph.D.	08-05-1998	
		Supplemental Declaration Of Zbylut J Twardowski M.D. Ph.D.	08-05-1998	
		Twardowski Opposition to Contingent Motion for Sanctions	08-10-1998	
		Twardowski Opposition to Martin Motion to Strike Portions of Twardowski Responses	08-11-1998	
		Martin Reply to Twardowski Opposition to Motion to Strike Twardowski Exhibits 46-54 and 58-61	08-20-1998	
		Reply to Twardowski Opposition to Martin Motion to Strike Twardowski Declarations	08-20-1998	
		Martin Motion to Strike Twardowski Exhibits and Declarations	08/20/1998	
		Martin Reply to Twardowski Opposition to Contingent Motion for Sanctions	08/25-1998	
		Martin Contingent Motion to Disqualify Attorneys of Twardowski	08-25-1998	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

IDS Form PTO/SB/08: Substitute for form 1449A/PTO			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Application Number	08/412,114	
			Filing Date	March 28, 1995	
			First Named Inventor	Twardowski et al.	
			Art Unit	Unknown	
			Examiner Name	Unknown	
			Attorney Docket Number	08366.0005-00	
Sheet	5	of	19		

NONPATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶	
		INTERFERENCE 103,988 DOCUMENT TITLE		
		Martin Opposition to Twardowski Motion to Substitute the Second Supplemental Bodicky Declaration for the Schwartz Declaration	08-25-1998	
		Communication of Recent Case Law	08-25-1998	
		Martin Reply to Twardowski Opposition to Martin Motion to Strike Portions of Twardowski's Responses	08-26-1998	
		Twardowski Reply to Martin Opposition to the Motion to Substitute the Second Supplemental Bodicky Declaration	09-09-1998	
		Twardowski Opposition to Martin Motion to Strike Twardowski Exhibits and Declarations	09-09-1998	
		Twardowski Response to Communication of Case Law	09-14-1998	
		Twardowski's Opposition to Martin Contingent Motion to Disqualify Attorneys of Twardowski with Appendices A Through F	09-14-1998	
		Martin Reply to Twardowski Opposition to Motion to Strike Twardowski Exhibits and Declarations	09-24-1998	
		Martin Reply to Twardowski Opposition to Martin Contingent Motion to Disqualify	09-29-1998	
		Motion Under 37 CFR Section 1.635 To Present Further Rationale In Support Of Junior Party Motions C And D That Twardowski's Claims Are Unpatenable For Failing To Comply With The Written Description Requirement Of 35 USC § 112	10-19-1999	
		Twardowski Opposition To Martin's Motion To Present Further Rationale	11-08-1999	
		Twardowski Response To Martin's Further Rationale	11-08-1999	
		Reply To Twardowski's Opposition And Response To Martin's Motion Under 37 CFR Section 1.635 To Present Further Rationale In Support Of Junior Party Motions C And D	11-23-1999	
		Twardowski Response To New Arguments In Martin's Reply	12-14-1999	
		Notice of Relevant Federal Circuit Decision	10-18-1998	
		Decision On Motions [paper 126]	01-08-2001	
		Redeclaration [paper 127]	01-8-2001	
		Preliminary Statement Of Junior Party Martin Pursuant To 37 CFR § 1.621 et seq.	12-19-1997	
		Martin's Motion Under 37 CFR Section 1.640(c) For Reconsideration Of January 8 2001 Decision On Martin's Motion C; Exhibit B - Amendment	02-08-2001	
		Twardowski Notice Regarding New Preliminary Statement	02-20-2001	
		Amended Preliminary Statement of Junior Party Martin Pursuant to 37 CFR § 1.621 et seq.	02-16-2001	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

IDS Form PTO/SB/08: Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	08/412,114
				Filing Date	March 28, 1995
				First Named Inventor	Twardowski et al.
				Art Unit	Unknown
				Examiner Name	Unknown
Sheet	6	of	19	Attorney Docket Number	08366.0005-00

NONPATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		Translation ⁶
		INTERFERENCE 103,988 DOCUMENT TITLE		
		Twardowski's Opposition To Martin's Motion For Reconsideration Of The January 8 2001 Decision On Motion C	03-01-2001	
		Decision Denying Martin's Request For Reconsideration [paper 133]	03-26-2001	
		Submission Of Recently Located United States Application File History	03-29-2001	
		Motion Of Junior Party Martin To Consider Newly Discovered Prior Art	04-02-2001	
		Twardowski's Identification Of Issues For Review At Final Hearing Pursuant To 37 CFR Section 1.640(b)	04-06-2001	
		Junior Party Martin's 37 CFR Section 1.640(b) Statement	04-06-2001	
		Twardowski's Motion To Strike Return Or Dismiss Unauthorized Paper and, Alternatively, Twardowski's Opposition To Martin's Motion To Consider Newly Discovered Prior Art	04-17-2001	
		Decision Dismissing Martin's Motion To Consider Canadian Patent No. 1,150,122 [paper 142]	04-23-2001	
		Declaration Of Jonathan E Last	05-01-2001	
		Declaration A Of Geoffrey S Martin	05-02-2001	
		Declaration B Of Geoffrey S. Martin	05-02-2001	
		Declaration Of Wayne E. Quinton	05-02-2001	
		Declaration Of Anand Ram	05-02-2001	
		Twardowski's Objections To The Admissibility Of Martin's Evidence	05-18-2001	
		Supplemental Declaration Of Geoffrey S Martin	06-05-2001	
		Supplemental Declaration Of Todd W Wight	06-04-2001	
		Agreed Statement Of Anand Ram Pursuant To § 1.672(h)	05-28-2002	
		Senior Party Twardowski's Notice Pursuant To 37 CFR § 1.632 Of Intent To Argue Abandonment Suppression Or Concealment	06-20-2002	
		Junior Party Martin's Objections To The Admissibility Of Senior Party Twardowski's Evidence	07-22-2002	
		Senior Party Twardowski's Supplemental Evidence In Response To Objections To Twardowski's Exhibits Introduced During Cross-Examination	08-16-2002	
		Senior Party Twardowski's Notice Pursuant To 37 CFR § 1.671(e)	08-16-2002	
		Senior Party Twardowski's Notice Pursuant To 37 CFR § 1.672(b) Including Index Of Witnesses And Exhibits	08-16-2002	
		Declaration Of Karl D. Nolph M.D.	08-09-2002	
		Declaration Of Bradford C. Fowler	08-14-2002	
Examiner Signature		Date Considered		

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	08/412,114
Filing Date	March 28, 1995
First Named Inventor	Twardowski et al.
Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	08366.0005-00

Sheet 7 of 19

NONPATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		INTERFERENCE 103,988 DOCUMENT TITLE	
		Junior Party Martin's Objections To The Admissibility Of Senior Party Twardowski's Case-In-Chief And Rebuttal Declarations And Exhibits	08-30-2002
		Senior Party Twardowski's Supplemental Evidence In Response To Martin's Objections To The Admissibility Of Twardowski's Evidence	09-19-2002
		Supplemental Declaration Of Bradford C Fowler	09-13-2002
		Junior Party Martin's Request For Cross-Examination Pursuant To 37 CFR § 1.672(d)	09-26-2002
		Senior Party Twardowski's Notice Of Depositions Pursuant To 37 CFR §§ 1.673(e) And 1.673(g)	10-17-2002
		Joint Stipulation Regarding Filing Deposition Testimony	11-05-2002
		Letter Regarding The Filing Of The Certified Deposition Transcript Of Bradford C. Fowler	11-22-2002
		Supplemental To Junior Party Martin's Record	12-05-2002
		Letter Regarding The Filing And Service Of The Record And Exhibits For Senior Party Twardowski	12-06-2002
		Notice Of Filing Of Corrected Exhibits To Junior Party Martin's Record	12-13-2002
		Opening Brief At Final Hearing For Junior Party Martin	01-01-2003
		Proposed Findings Of Fact And Conclusions Of Law In Support Of Opening Brief At Final Hearing For Junior Party Martin	01-10-2003
		Junior Party Martin's Motion To Suppress Pursuant To 37 CFR § 1.656(h)	01-09-2003
		Notice Of Filing Of Corrected Exhibits To Junior Party Martin's Record	01-10-2003
		Senior Party Twardowski's Unopposed Motion To File Amended Papers Pursuant To 37 CFR § 1.635	02-26-2003
		Senior Party Twardowski's Amended Opening Brief For Final Hearing	02-26-2003
		Senior Party Twardowski's Amended Findings Of Fact And Conclusions Of Law	02-26-2003
		Twardowski's Amended Motion To Suppress Martin's Priority Evidence [MR 8-215 And MX 1-84] And Related Arguments In Its Opening Brief Pursuant To 37 CFR § 1.656(h)	02-26-2003
		Senior Party Twardowski's Amended Motion To Suppress Martin's New Patentability Attacks Pursuant To 37 CFR § 1.635	02-26-2003
		Reply Brief For Junior Party Martin	03-07-2003
		Junior Party Martin's Response To Senior Party Twardowski's Findings Of Fact And Conclusions Of Law Pursuant To 37 CFR § 1.656(g)	03-07-2003

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	08/412,114
				Filing Date	March 28, 1995
				First Named Inventor	Twardowski et al.
				Art Unit	Unknown
				Examiner Name	Unknown
Sheet	8	of	19	Attorney Docket Number	08366.0005-00

NONPATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		Translation ⁶
		INTERFERENCE 103,988 DOCUMENT TITLE		
		Junior Party Martin's Opposition To Senior Party Twardowski's Motion To Suppress Martin's Priority Evidence And Related Arguments Pursuant To 37 CFR § 1.656(h)	03-07-2003	
		Junior Party Martin's Opposition To Senior Party Twardowski's Motion To Suppress Martin's New Patentability Attacks Pursuant To 37 CFR § 1.635	03-07-2003	
		Junior Party Martin's Reply In Support Of Its Motion To Suppress Pursuant To 37 CFR § 1.656(h)	03-07-2003	
		Notice Of Filing Of Corrected Exhibit To Junior Party Martin's Record	03-07-2003	
		Decision Granting Twardowski's Unopposed Motion [paper 220]	04-01-2003	
		Letter Submitting Transcript Of Final Hearing and Transcript	06-17-2003	
		Final Decision Under 37 CFR § 1.658	07-30-2003	
		Corrections To Final Decision Under 37 CFR § 1.658 [paper 225]	08-11-2003	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			Complete if Known		
			Application Number	08/412,114	
			Filing Date	March 28, 1995	
			First Named Inventor	Twardowski et al.	
			Art Unit	Unknown	
			Examiner Name	Unknown	
Sheet	9	of	19	Attorney Docket Number	08366.0005-00

NONPATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁹	
MARTIN RECORD INTERFERENCE 103,988				
		DESCRIPTION	DOCUMENT DATE	
		Declaration of Todd W. Wight (MR 33-35)	05-04-2001	
		Cross-Examination deposition of Jonathan E. Last (MR 45-116)	04-24-2002	
		Cross-Examination of Wayne E. Quinton (MR 117-215)	06-11-2002	
		Jointly filed US patent application (Uldall and Martin) entitled "Hemodialysis Cannula for Subclavian Insertion" including declaration and power of attorney, executed on September 5, 1979 [MX 3]		
		Sheet of drawings with title "SC-400 Patent Pending [MX 6]		
		Letter from Geoff Martin to Mr. John Nelson, dated August 6, 1991 [MX 7]	08-06-1991	
		Distribution agreement between Shiley, Inc. and Vas Cath, dated August 23, 1980 [MX 8]	08-23-1980	
		"A Review of Hemodialysis Catheters and Access Devices" by Robert C. Hickman and Sandra Watkins, Dialysis and Transplantation. Vol. 16, Number 9, September 1987, pp. 481-485 [MX 9]		
		Letter from the Patent Office regarding certified copy of application Serial No. 06/254,109 [MX 10]	05-02-2001	
		Certified copy of US Application Ser. No. 06/254,019, as filed April 13, 1981 [MX 11]	04-13-1981	
		Invoices from 1982-1984 from Vas-Cath of Canada Ltd. [MX 12-MX 84]	1982-1984	
		Declaration of Geoffrey S. Martin 12/17/1997 [MX D]	12-17-1997	
		Declaration of Jonathan E. Last 12/17/1997 [MX E]	12-17-1997	
		Declaration of Wayne E. Quinton 12/17/1997 [MX F]	12-17-2007	
		Palmer, Russell A. Et al., "Treatment of Chronic Renal Failure by Prolonged Peritoneal Dialysis", 274 New England Journal of Medicine 248-54 (February 3, 1996) [MX F1]	02-03-1996	
		Palmer, Russell A. et al., "Prolonged Peritoneal Dialysis for Chronic Renal Failure", Lancet 700-702 (March 28, 1994) [MX F2]	03-28-1994	
		Quinton, W.E. et al., "Eight Months' Experience with Silastic Teflon Bypass Cannulas", 8 Trans. Amer. Soc. Artificial Internal Organs 236-43 (1962) [MX F3]	1962	
		Quinton, W.E. et al., "Possible Improvements in the Technique of Long-Term Cannulation of Blood Vessels" 7 Trans. Amer. Soc. Artificial Internal Organs 60-63 (1961) [MX F4]	1961	
		Declaration of Robert R. Mallinckrodt, Esq. [MX M]	12-19-1997	
		Declaration "A" Jeffrey A. Weiss, Ph.D. 05/11/1998 [MX X]	05-11-1998	
		Declaration "B" Jeffrey A. Weiss, Ph.D. 05/11/1998 [MX Y]	05-11-1998	
		File History, including patent application for Serial No. 06/254,019 as filed April 13, 1981 [MX 1 corrected]	04-13-1981	
Examiner Signature			Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT***(Use as many sheets as necessary)*

Sheet

10

of

19

Complete if Known

Application Number	08/412,114
Filing Date	March 28, 1995
First Named Inventor	Twardowski et al.
Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	08366.0005-00

MARTIN RECORD INTERFERENCE 103,988				
		DESCRIPTION	DOCUMENT DATE	
		Photographs of Catheter with Bradford C. Fowler notations 10/23/2002 [MX 302]	10-23-2002	
		Handwritten drawings by Karl D. Nolph, M.D. [MX 309]	11-07-2002	

Examiner
SignatureDate
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Complete if Known		
			Application Number	08/412,114	
			Filing Date	March 28, 1995	
			First Named Inventor	Twardowski et al.	
			Art Unit	Unknown	
			Examiner Name	Unknown	
Sheet	11	of	19	Attorney Docket Number	08366.0005-00

NONPATENT LITERATURE DOCUMENTS				
Examiner Initials ⁷	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		Translation ⁸
		TWARDOWSKI RECORD INTERFERENCE 103,988		
		DESCRIPTION	DOCUMENT DATE	
		Cross-Examination of Deposition Testimony of Bradford C. Fowler dated October 23, 2002 [A158-260]	10-23-2002	
		Cross-Examination Deposition Testimony of Karl D. Nolph, M.D. dated November 7, 2002 [A261-402]	11-07-2002	
		Notice of Allowability [Paper No. 10/A] dated April 9, 1992 from prosecution history of Martin's 5,156,592 patent [TX 9]	04-09-1992	
		Combined Power of Attorney of Geoffrey S. Martin dated October 21, 1998 from prosecution history of Martin's 5,053,023 patent [TX 10]	10-10-1991	
		Combined Power of Attorney of Geoffrey S. Martin dated April 19, 1991 and Jonathan E. Last dated April 30, 1991, from prosecution history of Martin's 5,156,592 [TX 11]	04-00-1991	
		Information Disclosure Statement dated August 2, 1991 from prosecution history of Martin's 5,156,592 [TX 12]	08-02-1991	
		Information Disclosure Statement dated November 6, 1991, from prosecution history of Martin's 5,156,592 patent [TX 13]	11-06-1991	
		Dunn, J., Nylander, W. and Richie, R., "Central Venous Dialysis Access: Experience with a Dual-Lumen Silicone Rubber Catheter," Surgery, vol. 102, No. 2, pp. 784-789 [TX 14]	11-00-1987	
		Examiner Interview Summary [Paper No. 5] for Interview dated March 6, 1996, from prosecution history of Twardowski's US Application No. 08/412,114 [TX 15]	03-06-1996	
		The CIBA Collection of Medical Illustrations, Vol. 5, "Heart," Section 1, Anatomy Prepared by Frank H. Netter, M.D., 1969 [TX 17]	1969	
		Amendment under 37 C.F.R. § 1.111 dated June 11, 1990, from prosecution history of Martin's 5,053,023 patent [TX 18]	06-11-1990	
		Marketing Brochures for Vas-Cath's (Martin) Pre-Curve catheter [TX 19]		
		PCT Examination Report dated April 11, 1991 for PCT/CA 91/00117 to Vas-Cath Inc. [TX 20]	04-11-1991	
		Instructional Brochures for Quinton (Twardowski) Permcath® and Pediatric Permcath® Catheters [TX 22]		
		Artwork for Quinton (Twardowski) Permcath® Instructional Brochure [TX 23]		
		Artwork for Quinton (Twardowski) Permcath® Instructional Brochure [TX 24]		
		Office Action [Paper No. 4] dated December 7, 1990, from prosecution history of Twardowski's US Application No. 07/461,684 [TX 26]	12-07-1990	
		Response to Requirement for Restriction dated December 18, 1990, from prosecution history of Twardowski's US Application No. 07/461,684 [TX 27]	12-18-1990	
		Amendment dated November 11, 1992, from prosecution history of Twardowski's 5,209,723 patent [TX 28]	11-11-1992	
		Amendment dated May 2, 1994, from prosecution history of Twardowski's 5,405,320 [TX 29]	05-02-1994	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			Complete if Known		
			<i>Application Number</i>	08/412,114	
			<i>Filing Date</i>	March 28, 1995	
			<i>First Named Inventor</i>	Twardowski et al.	
			<i>Art Unit</i>	Unknown	
			<i>Examiner Name</i>	Unknown	
Sheet	12	of	19	<i>Attorney Docket Number</i>	08366.0005-00

NONPATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		Translation ⁶
		TWARDOWSKI RECORD INTERFERENCE 103,988		
		DESCRIPTION	DOCUMENT DATE	
		Decision on Request for Reconsideration, Christ v. Blake, Interference No. 103,443 (Bd.Pat.App.& Int. 1995) [TX 30]	03-28-1995	
		Photograph depicting configuration of catheter used in Twardowski patient who could not maintain AV blood access [TX 32]		
		Pressure Points Diagram [TX 33]		
		Twardowski, Z.J., "The Need for Swan Neck' Permanently Bent, Arcuate Peritoneal Dialysis Catheter," Peritoneal Dialysis Bulletin, October-December, 1985, pp. 219-223 [TX 34]	00-00-1985	
		Color FEA Analysis Figures [TX 39]		
		Cross-sectional Dimensions for SD&G, VasCath Soft Cell, and VasCath Niagra catheters [TX 40]		
		Load-Deflection Data from Mooney-Rivlin Analyses [TX 41]		
		Kink Test Report [TX 43]		
		Flow Test Report [TX 44]		
		Certified translation and French version of Aubaniac, Robert, "L'injection intraveineuse sous-claviculaire," La Presse Medicale, 60, No. 68, October 25, 1952, pp. 1456-1461 [TX 46]	10-25-1952	X
		Cimochowski, G.E., Worley, E., Rutherford, W.E., Sartain, J., Blondin, J. and Harter, H., "Superiority of the Internal Jugular over the Subclavian Access for Temporary Dialysis," Nephron, Vol. 54, No. 2, February, 1990, pp. 154-161 [TX 47]	02-00-1990	
		Duffy, B.J., Jr., "The Clinical Use of Polyethylene Tubing for Intravenous Therapy," Annals of Surgery, November, 1949, pp. 930-936 [TX 48]	11-00-1949	
		Erbern, J., Kvasnicka, J., Bastecky, J. and Vortel, V., "Experience with Routine Use of Subclavian Vein Cannulation in Haemodialysis," Dialysis and Renal Transplantation, European Dialysis and Transplant Association, Proceedings of Sixth Conference, June 1969, Vol. II pp. 59-64 [TX 49]	06-00-1969	
		Hoshal, V.L., Aulsebrook, R.G. and Hoskins, P.A., "Fibrin Sleeve Formation on Indwelling Subclavian Central Venous Catheters," Archives of Surgery, Vol. 102, January-June, 1971, pp. 353-358 [TX 50]	01-00-1971	
		Ratcliffe, P.J. and Oliver, D.O., "Massive Thrombosis Around Subclavian Cannulas for Haemodialysis," The Lancet, Vol. 1, NO. 8267, June 26, 1982, pp. 1472-1473 [TX 51]	06-26-1982	
		Schillinger, F., Schillinger, D., Montagnac, R. and Milcent, T., "Post Catheterisation Vein Stenosis in Haemodialysis: Comparative Angiographic Study of 50 Subclavian and 50 Internal Jugular Access," Nephrology Dialysis Transplantation, Vol. 6, No. 10, 1991, pp. 722-724 [TX 52]	00-00-1991	
		Shaldon, S., Chiandussi, L. and Higgs, B., "Haemodialysis by Percutaneous Catheterisation of the Femoral Artery and Vein with Regional Heparinisation, The Lancet, Vol. 2, July-December, 1961, pp. 857-859 [TX 53]	00-00-1961	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

IDS Form PTO/SB/08: Substitute for form 1449A/PTO			Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Application Number	08/412,114
			Filing Date	March 28, 1995
			First Named Inventor	Twardowski et al.
			Art Unit	Unknown
			Examiner Name	Unknown
			Attorney Docket Number	08366.0005-00
Sheet	13	of	19	

NONPATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶	
		TWARDOWSKI RECORD INTERFERENCE 103,988		
		DESCRIPTION	DOCUMENT DATE	
		Twardowski, Z.J., "Peritoneal Catheter Placement and Management," (Chapter 57), Therapy of Renal Diseases and Related Disorders, Suki and Massry, Eds., Third Edition, 1998, pp. 953-979 [TX 54]	00-00-1998	
		Catheter Compression Test with Septum Orientation [TX 55]	02-27-1998	
		Young, W.C., "Elastic Stability," (Chapter 14), Roark's Formula for Stress and Strain, Sixth Edition, 1989, pp. 667-689 [TX 56]	00-00-1989	
		Definition of "diameter: from Webster's Ninth New Collegiate Dictionary, 1990, p. 350 [TX 57]	00-00-1990	
		Certified copy of Decision on Request for Reconsideration, Christ v. Blake, Interference No. 103,443 (Bd. Pat. App. & Int [Certified by Court of Appeals for the Federal Circuit]) [TX 58]	03-30-1995	
		Prosecution history of Spanish Patent No. 2,069,287 (International Application No. PCT/CA91/00117) [TX 59]	04-23-1991	
		Certified copy of prosecution history for Martin's US Application No. 07/261,970 filed October 25, 1988 [TX 60]	10-25-1988	
		Photographic representation of dual lumen hemodialysis catheter made by Quinton Instrument Co. with parallel septum orientation and flat lying exit extensions [TX 61]		
		Excerpts from Dialysis and Transplantation, May, 1982, Volume 11, No. 5 [TX 65]	05-00-1982	
		Excerpts from Dialysis and Transplantation, June, 1982, Volume 11, No. 6 [TX 66]	06-00-1982	
		Excerpts from Dialysis and Transplantation, July, 1982, Volume 11, No. 7 [TX 67]	07-00-1982	
		Excerpts from Dialysis and Transplantation, August, 1982, Volume 11, No. 8 [TX 68]	08-00-1982	
		Excerpts from Dialysis and Transplantation, September 1982, Volume 11, No. 9 [TX 69]	09-00-1982	
		Excerpts from Dialysis and Transplantation, November, 1982, Volume 11, No. 11 [TX 70]	11-00-1982	
		Excerpts from Dialysis and Transplantation, December, 1982, Volume 11, No. 12 [TX 71]	12-00-1982	
		Excerpts from Dialysis and Transplantation, January, 1983, Volume 12, No. 1 [TX 72]	01-00-1983	
		Excerpts from Dialysis and Transplantation, February, 1983, Volume 12, No. 2 [TX 73]	02-00-1983	
		Excerpts from Dialysis and Transplantation, March, 1983, Volume 12, No. 3 [TX 74]	03-00-1983	
		Excerpts from Dialysis and Transplantation, April, 1983, Volume 12, No. 4 [TX 75]	04-00-1983	
		Excerpts from Dialysis and Transplantation, May, 1983, Volume 12, No. 5 [TX 76]	05-00-1983	
		Excerpts from Dialysis and Transplantation, June, 1983, Volume 12, No. 6 [TX 77]	06-00-1983	
		Excerpts from Dialysis and Transplantation, July, 1983, Volume 12, No. 7 [TX 78]	07-00-1983	
		Excerpts from Dialysis and Transplantation, August, 1983, Volume 12, No. 8 [TX 79]	08-00-1983	
Examiner Signature			Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			Complete if Known		
			<i>Application Number</i>	08/412,114	
			<i>Filing Date</i>	March 28, 1995	
			<i>First Named Inventor</i>	Twardowski et al.	
			<i>Art Unit</i>	Unknown	
			<i>Examiner Name</i>	Unknown	
Sheet	14	of	19	<i>Attorney Docket Number</i>	08366.0005-00

NONPATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		Translation ⁶
		TWARDOWSKI RECORD INTERFERENCE 103,988		
		DESCRIPTION	DOCUMENT DATE	
		Excerpts from Dialysis and Transplantation, September, 1983, Volume 12, No. 9 [TX 80]	09-00-1983	
		Excerpts from Dialysis and Transplantation, May, 1984, Volume 13, No. 5 [TX 81]	05-00-1984	
		Excerpts from Dialysis and Transplantation, June, 1984, Volume 13, No. 6 [TX 82]	06-00-1984	
		Excerpts from Dialysis and Transplantation, July, 1984, Volume 13, No. 7 [TX 83]	07-00-1984	
		Excerpts from Dialysis and Transplantation, September, 1984, Volume 13, No. 9 [TX 84]	09-00-1984	
		Excerpts from Dialysis and Transplantation, October, 1984, Volume 13, No. 10 [TX 85]	10-00-1984	
		Excerpts from Dialysis and Transplantation, March, 1985, Volume 14, No. 3 [TX 86]	03-00-1985	
		Excerpts from Dialysis and Transplantation, May, 1985, Volume 14, No. 5 [TX 87]	05-00-1985	
		Excerpts from Dialysis and Transplantation, August, 1984, Volume 13, No. 8 [TX 93]	08-00-1984	
		Abbreviated Curriculum Vitae of Karl D. Nolph, M.D. [TX 94]	00-00-0000	
		University of Missouri Invention Disclosure NO. 85-UMC-044 dated June 7, 1985 [TX 95]	06-07-1985	
		University of Missouri Invention Disclosure No. 89-UMC-003 dated June 7, 1985 [TX 96]	07-11-1988	
		Resume of Bradford C. Fowler [TX 97]	00-00-0000	
		Agreement between Quinton Instrument Co. and the University of Missouri dated August 15, 1988 [TX 98]	08-15-1988	
		Correspondence between Bradford C. Fowler and University of Missouri personnel Vincent Kell, dated August 17, 24, and 31, 1988 concerning the Confidentiality Agreement of Twardowski Exhibit 98 [TX 99]	08-17-1988	
		Excerpts from Dialysis and Transplantation, June, 1988, Volume 17, No. 6 [TX 100]	06-00-1988	
		Notes from November 8, 1988, telephone conversation between Zbylut J. Twardowski, M.D. and Bradford C. Fowler from Bradford C. Fowler's May, 1988 - December, 1990 telephone log [TX 101]	00-00-1998	
		Photograph taken January 18, 1989, depicting three wire models of swan neck pigtail intravenous catheters made by Zbylut J. Twardowski, M.D. [TX 102]	01-18-1989	
		Photograph taken January 18, 1989, depicting Bradford C. Fowler, Zbylut J. Twardowski, M.D. and Wayne E. Quinton [TX 103]	01-18-1989	
		Memo dated January 21, 1989, from Bradford C. Fowler to Quinton Instrument Co. personnel regarding Zbylut J. Twardowski, M.D.'s January 16-18, 1989 visit [TX 104]	01-21-1989	
		Notes from March 23 and April 3, 1989 telephone conversations between Zbylut J. Twardowski, M.D. and Bradford C. Fowler from Bradford C. Fowler's May, 1988-December, 1990 telephone log [TX 105]	00-00-1988	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	08/412,114
				Filing Date	March 28, 1995
				First Named Inventor	Twardowski et al.
				Art Unit	Unknown
				Examiner Name	Unknown
Sheet	15	of	19	Attorney Docket Number	08366.0005-00

NONPATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		Translation ⁶
		TWARDOWSKI RECORD INTERFERENCE 103,988		
		DESCRIPTION	DOCUMENT DATE	
		Collection of pages from Quinton Instrument Co.'s PRC (Project Review Committee) reports authored by Bradford C. Fowler [TX 106]	01-31-1989	
		Certified copy of the prosecution history of US Patent 5,324,274 to Martin (uncertified version is Twardowski Exhibit 90) [TX 107]	06-28-1994	

NONPATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		Translation ⁶
		VAS-CATH v. CURATORS OF THE UNIVERSITY OF MISSOURI WD MO 2:05-CV-00400 GAF		
		DESCRIPTION	DOCUMENT DATE	
		Complaint	09-22-2003	
		Defendant the University's Motion to Dismiss for Lack of Personal Jurisdiction	11-10-2003	
		Defendant the University's Motion to Dismiss Based on the Eleventh Amendment	11-10-2003	
		FIRST AMENDED COMPLAINT for Declaratory and Prospective Injunctive Relief	12-09-2003	
		Summons in a Civil Case (of Curators of the University of Missouri to answer the amended complaint	12-08-2003	
		Plaintiff Vas-Cath's Opposition to Defendant's Motion to Dismiss Based Upon the Eleventh Amendment	12-15-2003	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			Complete if Known		
			<i>Application Number</i>	08/412,114	
			<i>Filing Date</i>	March 28, 1995	
			<i>First Named Inventor</i>	Twardowski et al.	
			<i>Art Unit</i>	Unknown	
			<i>Examiner Name</i>	Unknown	
Sheet	16	of	19	<i>Attorney Docket Number</i>	08366.0005-00

NONPATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		VAS-CATH v. CURATORS OF THE UNIVERSITY OF MISSOURI WD MO 2:05-CV-00400 GAF	
		DESCRIPTION	DOCUMENT DATE
		Plaintiff Vas-Cath, Inc.'s Opposition to Defendant Curators of the University of Missouri's Motion to Dismiss for Lack of Personal Jurisdiction 1. Declaration of Zwacki. 2. Declaration of Bradley S. Lui with exhibits 2-20: 2. Preliminary Amendment and 1.607 request B. Claim chart 3. 1.602 Identification of Interest 4. Final Decision 5. MU Journalism's Washington Program 6. MU's Washington Program Course Outline 7. MU's Washington Program Guidelines for Project Supervisors 8. MU President Pacheco 9. Pacheco reviews first year at MU 10. Citizenship Washington Focus trip 2004 to DC 11. MU Extension Henry County 4-H events 12. Picture list 13. MU European Union Center 14. European Union and MU Journalism exchange program 15. MU Archive report of content of files from Moody's office regarding association reports, etc. 16. Article from Consumer Bankruptcy News Nov. 26, 2002 17. Article from PR Newswire, Feb. 19, 1997 18. Article from Omaha World Herald, Mar. 7, 1997 19. Letter to Lui from McCurdy, Dec. 10, 2003 20. Letter to McCurdy from Lui, Dec. 11, 2003	12-15-2003
		Defendant The University's Reply in Support of its Motion to Dismiss Based on the Eleventh Amendment	01-15-2004
		Defendant the University's Reply in Support of its Motion to Dismiss for Lack of Personal Jurisdiction	01-15-2004
		Defendants' Motion to Dismiss the First Amended Complaint Based on the Eleventh Amendment; Proposed Order	01-29-2004
		Defendants' Motion to Dismiss the First Amended Complaint for Lack of Personal Jurisdiction and Failure to State a Claim; Proposed Order; Declaration of Vickie M. Eller	01-29-2004
		Order [dismissing MU motions to dismiss original complaint without prejudice] [dkt 38]	02-17-2004
		Plaintiff Vas-Cath, Inc.'s Opposition to Defendants' Motion to Dismiss the First Amended Complaint for Lack of Personal Jurisdiction and Failure to State a Claim	03-01-2004

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	08/412,114
Filing Date	March 28, 1995
First Named Inventor	Twardowski et al.
Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	08366.0005-00

Sheet 17 of 19

NONPATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁸
		VAS-CATH v. CURATORS OF THE UNIVERSITY OF MISSOURI WD MO 2:05-CV-00400 GAF	
		DESCRIPTION	DOCUMENT DATE
		Plaintiff Vas-Cath's Opposition to Defendants' Motion to Dismiss the First Amended Complaint Based Upon the Eleventh Amendment; Declaration of Bradley S. Lui with Exhibits 20-33 Exh 20 Affidavit of Lui Exh 21 Summons - Sugary Exh 22 Summons - Braxton Exh 23 Mail receipt executed by Shagouri Exh 24 Summons - Atkins/Hoskins Exh 25 Summons - Bennett/Hoskins Exh 26 Summons - Cairns/Hoskins Exh 27 Summons - Eller/Hoskins Exh 28 Summons - James/Hoskins Exh 29 Summons - McGinnis/Hoskins Exh 30 Summons - Ream/Hoskins Exh 31 Summons - Silverstein/Hoskins Exh 32 Summons - Walker/Hoskins Exh 33 Summons - Walsworth	03-01-2004
		Defendants' Reply in Support of its Motion to Dismiss the First Amended Complaint Based on the Eleventh Amendment	03-22-2004
		Defendants' Reply in Support of its Motion to Dismiss the First Amended Complaint for Lack of Personal Jurisdiction	03-22-2004
		Defendant the University's Notice of Supplemental Authority Regarding the Eleventh Amendment and attaching Xechem Int'l v. Univ. TX MD Anderson Cancer Center	10-13-2004
		Plaintiff Vas-Cath's Response to Defendant the University's Notice of Supplemental Authority Regarding the Eleventh Amendment	10-29-2004
		Order Directing Transfer of Case [dkt 48]	04-15-2005
		Defendants' Request for Consideration of Outstanding Motions and Request for Oral Argument on Outstanding Motions [dkt 65]	08-11-2005
		Joint Proposed Scheduling Order and Discovery Plan [dkt 66]	08-26-2005
		Plaintiff's Response to Defendants' Request for Consideration of Outstanding Motions and Request for Oral Argument [dkt 67]	08-26-2005
		Scheduling and Trial Order [dkt 69]	08-31-2005
		Defendants Reply in Support of its Request for Consideration of Outstanding Motions and Request for Oral Argument on Outstanding Motions [dkt 70]	09-09-2005
		ORDER dismissing Vas-Cath's 1st amended complaint based on 11th Amendment [dkt 71]	10-25-2005
		Order - entry of order granting MU Motion to Dismiss [dkt 72]	10-25-2005
		Notice of Appeal to Fed. Cir. [dkt 73]	11-17-2005

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	08/412,114
Filing Date	March 28, 1995
First Named Inventor	Twardowski et al.
Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	08366.0005-00

Sheet 18 of 19

NONPATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		VAS-CATH v. CURATORS OF THE UNIVERSITY OF MISSOURI WD MO 2:05-CV-00400 GAF	
		DESCRIPTION	DOCUMENT DATE
		Notice of Entry of Judgment accompanied by Opinion [dkt 75]	01/29/2007
		Mandate issued by Federal Circuit on Feb. 13, 2007 [dkt 76]	10-16-2007
		Order - Plaintiff files status report within 15 days [dkt 77]	10-16-2007
		Vas-Cath's Status Report [dkt 78]	10-31-2007
		Defendants' Request for Rule 16 Scheduling Conference and Response to Plaintiff's Status Report [dkt 79]	11-02-2007
		Letter Order from Judge Fenner--that Court will consider remaining issues in Motion to Dismiss for lack of Personal Jurisdiction and for Failure to State a Claim in docket #37; Plaintiff to respond to docket 79 within 5 days re dismissal of individually named defendants	11-09-2007
		Letter to Judge Fenner agreeing that individual defendants may be dismissed	11-14-2007
		Order [dkt 80] [Granting Defendant's Motion to Dismiss for Failure to State a claim in Counts I & II]	12-06-2007
		Judgment - [dkt 81] [grants Defendant's motion to dismiss as to all parties]	12-07-2007
		Notice of Appeal [dkt 82]	01-04-2008
		Order dismissing appeal and Mandate from Federal Circuit-[dkt 85]	03-28-2008

Examiner
SignatureDate
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Sheet	19	of	19	Application Number	08/412,114
				Filing Date	March 28, 1995
				First Named Inventor	Twardowski et al.
				Art Unit	Unknown
				Examiner Name	Unknown
				Attorney Docket Number	08366.0005-00

NONPATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		VAS-CATH v. CURATORS OF THE UNIVERSITY OF MISSOURI U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT APPEAL 06-1100	
		DESCRIPTION	DOCUMENT DATE
		Notice of Docketing and official caption	11-29-2005
		Corrected Brief of Plaintiff-Appellant Vas-Cath, Inc.	02-23-2006
		Brief of Defendants-Appellees Curators Of The University Of Missouri, Don Walsworth, Cheryl D.S. Walker, Anne C. Ream, M. Sean McGinnis, Marion H. Cairns, Angela M. Bennett, Thomas E. Atkins, Vicki M. Eller, Mary L. James and Connie Hager Silverstein,	04-11-2006
		Reply Brief of Plaintiff-Appellant Vas-Cath, Inc.	05-03-2006
		Oral Argument Transcript	09-05-2006
		Decision	01-23-2007
		VAS-CATH v. CURATORS OF THE UNIVERSITY OF MISSOURI U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT APPEAL 08-1159	
		Notice of Docketing and official caption	1-16-2008
		Motion of Plaintiff-Appellant Vas-Cath, Incorporated to Dismiss Appeal	3-13-2008

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.